

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Playtex Products, Inc., Plaintiff,

8 cv 3417 (UA)

- against -

The Procter & Gamble Company Defendant.

MOTION TO ADMIT COUNSEL

PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Matthew B. Lehr a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Anthony I. Fenwick  
Firm Name: Davis Polk & Wardwell  
Address: 1600 El Camino Real  
City/State/Zip: Menlo Park / CA / 94025  
Phone Number: (650) 752-2000  
Fax Number: (650) 752-2111

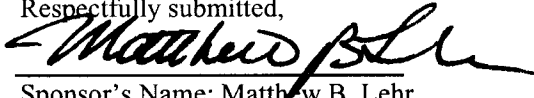
Anthony I. Fenwick is a member in good standing of the Bar of the States of California.

There are no pending disciplinary proceeding against Anthony I. Fenwick in any State or Federal court.

Dated:

City, State: Menlo Park, CA

Respectfully submitted,



Sponsor's Name: Matthew B. Lehr  
SDNY Bar: 2183309  
Firm Name: Davis Polk & Wardwell  
Address: 1600 El Camino Real  
City/State/Zip: Menlo Park / CA / 94025  
Phone Number: (650) 752-2000  
Fax Number: (650) 752-2111

FILED COURT  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
2008 APR 18 PM 2:58



# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

April 9, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ANTHONY IRVING FENWICK, #158667 was admitted to the practice of law in this state by the Supreme Court of California on June 3, 1992; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over a horizontal line.

Kath Lambert  
Custodian of Membership Records

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Playtex Products, Inc., Plaintiff,

- against -

The Procter & Gamble Company,  
Defendant.

08 Civ. 3417 (UA)

AFFIDAVIT OF MATTHEW B.  
LEHR IN SUPPORT OF  
MOTION TO ADMIT  
COUNSEL PRO HAC VICE

State of New York       )  
                                  )  
County of New York     )  
                                  ss:

Matthew B. Lehr, being duly sworn, hereby deposes and says as follows:

1. I am a member of Davis Polk & Wardwell, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Anthony I. Fenwick as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in the following courts: Delaware; California; D. Delaware; U.S. Court of Appeal 3rd Circuit; U.S. Court of Appeal 10th Circuit; U.S. Supreme Court; U.S. Court of Appeal Federal Cir.; E.D. Michigan; N.D. of California; U.S. Court of Appeal 9th Circuit; D. Col.; U.S. Court of Appeal 2nd Circuit; C.D. of California; S.D. of California. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Anthony I. Fenwick since 2002.
4. Anthony I. Fenwick is a member of Davis Polk & Wardwell, in Menlo Park, California.
5. I have found Anthony I. Fenwick to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Accordingly, I am pleased to move the admission of Anthony I. Fenwick, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Anthony I. Fenwick, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Anthony I. Fenwick, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: April 17, 2008  
City, State: Menlo Park, CA  
Notarized: See attached.

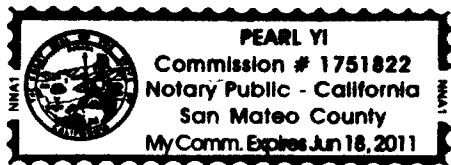
Respectfully Submitted,



Name of Movant: Matthew B. Lehr  
SDNY Bar Code: 2183309

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of SAN MATEOOn APRIL 17, 2008 before me, PEARL YI, A NOTARY PUBLIC  
Date Here Insert Name and Title of the Officerpersonally appeared MATHEW BURKE LEHR  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**RIGHT THUMBPRINT  
OF SIGNER**  
 Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**RIGHT THUMBPRINT  
OF SIGNER**  
 Top of thumb here

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Playtex Products, Inc., Plaintiff,

8 cv 3417 (UA )

- against -

The Procter & Gamble Company, Defendant.

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of Matthew B. Lehr attorney for Playtex Products, Inc.  
and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Anthony I. Fenwick  
Firm Name: Davis Polk & Wardwell  
Address: 1600 El Camino Real  
City/State/Zip: Menlo Park / CA / 94025  
Telephone/Fax: (650) 752-2000  
Email Address: anthony.fenwick@dpw.com

is admitted to practice pro hac vice as counsel for Playtex Products, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
City, State:

United States District/Magistrate Judge